

**FINAL PROPOSED GROUND RULES FOR GENERAL ELECTRIC COMPANY  
PITTSFIELD FACILITY/HOUSATONIC RIVER MEDIATION**

Consistent with the Massachusetts mediation statute and other state and federal statutes, the communications of any Mediation Participant with any non-Participant during the course of the mediation process with respect to the subject matter of the mediation shall be subject to the following Ground Rules:

1. Each Mediation Participant agrees to negotiate in good faith during the mediation process.
2. The Governmental Parties and GE will continue to be available through public meetings and otherwise to respond to inquiries from interested public officials, affected stakeholders, and members of the public at large, to provide them updates on the progress of the mediation, and to discuss with them issues regarding the contamination including, but not limited to, issues relating to remediation of the contamination, restoration of natural resources, and the redevelopment of the industrial site. Such communications will be designed both to inform the Mediation Participants in their decision-making process and to keep the public adequately informed. The Mediation Participants further acknowledge that before any proposed Settlement Agreement becomes effective, the public will be provided an opportunity to comment on the proposed terms, including at a minimum all requirements of applicable statutes and regulations.
3. The Mediation Participants agree that they will not disclose to any non-Participant, without the consent of all Mediation Participants, any Participant's specific statements or proposals made in mediation, or any document provided to any Mediation Participant in the presence of the mediator that is not otherwise publicly available, provided that this Paragraph shall not be construed to preclude communications by the Governmental Parties to the public regarding applicable statutes, regulations, and policies.
4. The Mediation Participants agree to refrain from making communications to any non-Participant that negatively characterize another Participant's negotiation behavior or that disparage another Participant for taking a particular substantive position in the mediation process.
5. The Mediation Participants agree to attempt, whether in plenary groups or by a selected sub-committee of representatives, to agree on a list of topics discussed for purposes of guiding the Participants' response to inquiries after each mediation session.
6. The Mediation Participants agree that a representative of the City of Pittsfield may attend appropriate mediation sessions to express the City's views, and the City of Pittsfield has agreed to be bound by the confidentiality provisions of these Ground Rules and the Mediation Agreement. For the purposes of these Ground Rules and Paragraphs 6.d and 12 of the Mediation Agreement, the City of Pittsfield shall be considered a participant in the mediation process and communications with the City shall be considered mediation communications.

